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COMMISSION ON HUMAN RIGHTS

SUB-COMMISSION ON THE PROMOTION AND PROTECTION OF HUMAN RIGHTS

Fifty-second session

SUMMARY RECORD OF THE 14th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 10 August 2000, at 3 p.m.

Chairperson: Ms. MOTOC

later: Mrs. DAES
(Vice-Chairperson)

later: Ms. MOTOC
(Chairperson)

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GE.00-14832 (E)

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The meeting was called to order at 3.05 p.m.

ORGANIZATION OF WORK (agenda item 1) (continued)

(c) METHODS OF WORK OF THE SUB-COMMISSION (continued)

1. The CHAIRPERSON said that the Bureau proposed that the Sub-Commission should consider, at its afternoon meeting on the following day, the draft proposals on agenda items 2 and 3 only, and that the deadline for submission of draft proposals on all other agenda items should be 11 a.m. on the following Monday.

2. Following a brief procedural discussion in which Mr. ALFONSO MARTÍNEZ, Ms. HAMPSON, Mr. EIDE, Mr. FAN, Mr. JOINET, Mr. PARK, Mr. GUISSÉ and Mr. LEBAKINE (Secretary of the Sub-Commission) took part, the CHAIRPERSON said that, if there was no objection, she would take it that the Sub-Commission agreed to take action on the draft proposals submitted under agenda items 2 and 3 at the beginning of the afternoon meeting of the following day, that the deadline for submission of draft proposals on all other items would be 3 p.m. on the following Monday, and that voting on them would take place 72 hours later, namely, on the following Thursday.

3. It was so agreed.

THE IMPLEMENTATION OF HUMAN RIGHTS WITH REGARD TO WOMEN

(a) TRADITIONAL PRACTICES AFFECTING THE HEALTH OF WOMEN AND THE GIRL CHILD

(b) THE ROLE AND EQUAL PARTICIPATION OF WOMEN IN DEVELOPMENT

(agenda item 5) (continued) (E/CN.4/Sub.2/2000/17-19 and 41)

4. Ms. KABIR (Association pour la Promotion de l'Emploi et du Logement (APEL)) said that her country, Afghanistan, was under the domination of brutal religious fanatics and women there were daily subjected to systematic degradation and humiliation. Depression and suicide had become widespread. There were still individuals and organizations, however, struggling against fundamentalism and for democracy and human rights, including women's rights. There could be no meaningful talk of peace, security and human rights in Afghanistan as long as the Taliban, and other fundamentalists, remained in power and continued to commit, in the name of religion and tradition, deeds of the sort that in other places had been deemed crimes and acts of terrorism. The very idea of democracy, women's rights and secularism was revolutionary in such a fundamentalist-blighted country as Afghanistan. Afghan women needed the Sub-Commission's support.

5. Ms. VERZEGNAZZI (European Union of Public Relations) said that, in developed and developing countries alike, women had still to fight for their rights. Women's emancipation remained incomplete even in the most advanced countries; it was a telling comment that even a

female General of the United States' Army was not safe from sexual harassment by a colleague. Indeed, in the early days of the twenty-first century, there were still countries in which women were not enfranchised, could not take husbands of their choice, could not travel without the permission of husband or father and were denied education and the right to think for themselves.

6. Women had a chance to overcome traditional attitudes if the State supported them, as in India, where laws had been enacted to outlaw the dowry system. But in some countries, including Pakistan and Afghanistan, the State condoned discrimination against women, whose only hope for help was in the international human rights community.

7. Violation of women's rights stemmed chiefly from terrorism, however. Deaths and injuries from terrorist bombing and hijacking bereaved many wives, mothers and daughters. Terrorism, and the ideology that sustained it, was fast becoming the most potent threat to women's human rights, especially when such ideology was taught in an educational system that promoted bigotry and the treatment of women as chattels. Women everywhere should unite against the threat to their human rights posed by such ideology, inter alia by urging the international community to initiate a programme of awareness and apply pressure to dismantle the systems that manifested it.

8. Ms. SHAIKH-GREENWOOD (Liberation) said that, in Pakistan, many women suffered violence, abuse, rape, trafficking and other forms of degradation, by their spouses and society at large. Education for girls was restricted. Many women received only the most rudimentary medical attention, even in pregnancy and childbirth, and women were subjected to polygamy and unwanted marriages, and even possibly to being killed for supposedly having illicit relationships or attempting to marry men of their own choice. Indeed, it seemed that the number of so-called honour killings was increasing. Her organization condemned the Government's failure to take action, including its negligence in matters such as the trade in women in the Thar district of Sindh province, and elsewhere, sometimes seemingly under the patronage of politicians and government officials. The Government, despite ratification of the Convention on the Elimination of All Forms of Discrimination against Women, had systematically failed to take action pursuant to its article 14; it should be urged to honour its obligations under international law.

9. In the Moluccas, a conflict fomented by anti-democratic forces had created more than half a million refugees, most of whom were women and children. The Indonesian Government should request urgent international cooperation, preferably from its partners, in the Association of South-East Asian Nations (ASEAN) as proposed by Indonesia's National Commission on Human Rights.

10. In Sri Lanka, Tamil women continued to be raped by members of that country's armed forces, and cases of gang rape seemed to be brought to court only when the women concerned had been murdered. The situation, which had been reported many times, must be ended, and her organization called for urgent action by the Special Rapporteur on violence against women.

11. In the Republic of Yemen, the Nationality Act clearly infringed the Convention on the Elimination of All Forms of Discrimination against Women, since the provisions of its article 3 A meant that Yemeni citizenship was not conferred upon children of female Yemeni citizens married to foreign spouses, whether such children were born in Yemen or not.

12. Her organization also appealed for immediate United Nations action to protect the health of Kurdish women and children in a refugee camp in northern Iraq, belonging to the Office of the United Nations High Commissioner for Refugees (UNHCR), staffed by only two doctors for 8,000 people.

13. Mrs. RAS-WORK (Inter-African Committee on Traditional Practices Affecting the Health of Women and Children) said she welcomed the report of the Special Rapporteur on traditional practices affecting the health of women and the girl child (E/CN.4/Sub.2/2000/17). Although such practices seriously impeded millions of women's full enjoyment of human rights, for most Governments it remained a side issue. It was encouraging, however, to note that some had taken legislative measures against certain harmful traditional practices; her organization called upon them to develop mechanisms of implementation in consultation with the civil society. In Africa and Europe, non-governmental organizations (NGOs) continued their efforts to create awareness of the problem at the local, regional and international levels as the report made clear. The preparations to establish an African youth network, to provide peer educators and lobbyists, were particularly welcome. The contribution of religious leaders was indispensable in changing peoples' attitudes; a second symposium for religious leaders from Africa, to which a delegate from Iran had been invited, was expected to shed further light on the issue.

14. Following consultation between the Organization of African Unity (OAU), the Economic Commission for Africa (ECA) and her own organization, a draft convention on the elimination of all forms of harmful practices affecting the fundamental rights of women and girls had been incorporated into the OAU draft additional protocol on the rights of women. Likewise, the training and information campaign undertaken by her organization and its National Committees was leading to a positive change in attitudes. It had been amply demonstrated that even deeply-rooted tradition could be changed if revealed as detrimental to well-being. In that connection, the Sub-Commission was urged to seek the extension of the Special Rapporteur's mandate.

15. Ms. ARIF (Interfaith International) said that the violation of women's rights in all spheres, public and domestic, was known throughout the world and well documented; but not enough attention was given to the plight of refugee women, particularly in areas of armed conflict, where the very right to life became an issue. In many parts of the world, the victims of forced mass displacement, the majority of whom were women and children, had been left stranded in subhuman conditions, lacking food, shelter, education, health and hygiene services and other basic needs.

16. Such persons deserved their rights as much as any other members of human society. Providing refugees with food and shelter did not absolve the international community from its responsibility towards vulnerable groups. Applicable policy-making guidelines were urgently

needed in order to attend to the human rights of that large group of deprived women and her organization requested the Sub-Commission and the international community in general to pay more attention to the violation of women refugees' human rights.

17. Ms. GUTIERREZ (International Indian Treaty Council) said that the indigenous women of Mexico had consistently appealed for peaceful coexistence among all Mexicans and a resumption of dialogue among the signatories to the San Andrés accords. They called for an end to torture and to the militarization of indigenous communities, an inquiry into the fate of detainees who had disappeared, and an investigation of the massacres of indigenous people so that the perpetrators could be brought to justice.

18. The ongoing governmental campaigns of forced or involuntary sterilization of indigenous women in Mexico were a major source of concern. Women who had been sterilized in the 1970s and 1980s were demanding an impartial investigation and compensation. The Parliament of the State of Guerrero had instructed its Committees on Health and Women's Affairs to investigate similar events in 1999 but no practical action had been taken because of the furious reaction of Mexican diplomats and threats by the executive against the parliamentarians and members of the two Committees. Yet her organization had firm evidence that government programmes for the sterilization of indigenous women were still in force in the States of Guerrero, Chiapas and Oaxaca.

19. During their recent visit to Mexico, the High Commissioner for Human Rights and the Chairperson-Rapporteur of the Sub-Commission's Working Group on Indigenous Populations, Mrs. Daes, had been provided with detailed information and personal testimony about sterilization, torture, enforced disappearances, militarization of communities and the urgent need for a resumption of dialogue between the parties to the San Andrés accords. It was to be hoped that they would recommend in their reports concrete, effective and timely measures to end those violations.

20. The indigenous women of Mexico deplored the fact that the Sub-Commission was no longer allowed to adopt resolutions concerning Mexico.

21. Mr. SARAF (World Muslim Congress) said he was disappointed that the reports under agenda item 5 did not mention the massive violations of the human rights of women in situations of armed conflict, an issue raised in the Beijing Platform for Action adopted five years previously. The women of Chechnya had recently suffered atrocities of the highest order at the hands of the State war machine. Commission on Human Rights resolution 2000/58 on the situation in Chechnya had not led to any improvement. Hundreds of women victims still awaited compensation.

22. Women and girls were also the prime victims of the Indian troops in the State of Jammu and Kashmir. Systematic rape was used as a tactic of war by the Indian security forces to bring shame and suffering on families who sympathized with the freedom struggle. It was unfortunate that neither the High Commissioner for Human Rights nor the Special Rapporteur on violence

against women had been invited by the Indian Government to visit Kashmir. He urged the Sub-Commission to appoint a special rapporteur on the situation of women in armed conflicts and to prepare a report on violations of the human rights of women and girls with special reference to areas under foreign occupation.

23. Mrs. Daes, Vice-Chairperson, took the Chair.

24. Ms. SHAH (Muslim World League) said that women victims of war crimes in Rwanda, Ethiopia, Central Africa, Bosnia and Herzegovina, Sri Lanka and many other parts of the world suffered in silence or resorted to suicide. In the Kashmir Valley, women and children suffered physical and psychological torture at the hands of the Indian military during so-called "cordon and search" operations. While the men of the target community were rounded up, the women were molested, abused, tortured and raped, either alone or in groups. The victims ranged from girls as young as 12 to women as old as 60. As no independent inquiry had ever been conducted, the exact number of rapes committed by the Indian armed forces in Jammu and Kashmir would never be known.

25. In conservative Kashmiri society, the stigma of rape was borne by a woman for the rest of her life. She had no recourse to justice, as no police station would register her complaint. Immense psychological and social pressure had in recent years driven hundreds of rape victims to commit suicide. The Sub-Commission should call on the Indian Government to establish an independent commission of inquiry to investigate all cases of rape carried out by its forces and renegade militias over the past 10 years and to bring the perpetrators to justice.

26. Mrs. PEREZ DUARTE (Observer for Mexico) said that the participation of Mexican women in the country's social, political, scientific and cultural life had significantly improved in the past six years under the Alliance for Equality Programme. However, issues such as the feminization of poverty and violence against women still presented a major challenge. Poverty among women could not be addressed in the same way as poverty in general. Among the factors that had to be taken into account were women's role in the division of labour, their domestic arrangements, their economic dependence on men, the types of paid economic activity available to them, their access to economic resources and their situation after marital breakdown.

27. Her Government had recognized that action to address poverty among women had a multiplier impact on their families. It had followed with great interest the Sub-Commission's work on the feminization of poverty, especially with respect to women's right to development, land, property and decent housing, and fully supported the relevant resolutions. At the fifty-second session of the Commission on Human Rights, her delegation's initiative to address those issues had been approved by consensus. In the fierce debate that had then ensued, obstacles had been encountered in parts of the world that had traditionally been most active in defending women's rights and the need had emerged for an in-depth comparative analysis of the world's legal systems and of customs and traditions that impeded women's access to land ownership and their inheritance rights. It was a task that should, perhaps, fall to the Sub-Commission.

28. In Mexico, the National Commission on Human Rights had studied the country's legal system and submitted practical proposals to the Governments of the 32 States of the republic.

The National Indigenous Institute had studied the customs and traditions of indigenous communities in respect of women's right to property and inheritance rights. Workshops, seminars and training and awareness courses involving both indigenous and non-indigenous women were being held with a view to modifying practices that perpetuated inequality.

29. The Mexican Government and civil society were taking joint action to address the issue of family violence. The recently enacted Official Mexican Regulations concerning medical care in cases of family violence created an early detection system to prevent complications. They established criteria for medical care, the counselling of patients and the registration of probable cases of family violence. The health sector had thus been fully involved in the fight against what could be termed a social disease.

30. The Special Rapporteur on violence against women had been invited to visit Mexico in 1999 and Mexico had signed the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. In cooperation with the United Nations Development Forum for Women (UNIFEM), it had developed a system of indicators of developments in the situation of women so that effective policies to meet their needs could be formulated and their implementation monitored.

31. Mr. AL-DORI (Observer for Iraq) said that his Government was strongly committed to the promotion of women's rights through legislation and practical action. It had acceded to the Convention on the Elimination of All Forms of Discrimination against Women, which had formed part of domestic legislation since 1986.

32. Unfortunately, the unjust economic sanctions had destroyed the country's infrastructure and caused immense physical and psychological suffering, particularly among women and children. The shortage of basic necessities had limited the State's ability to provide proper health care and led to a worsening of women's health, particularly women of childbearing age. The number of mothers dying in childbirth had risen dramatically. Sixty per cent of pregnant women suffered from anaemia and malnutrition so that a large proportion of newborns were underweight. There had been a sharp increase in thyroid disease and, according to the United Nations Children's Fund (UNICEF), the incidence of liver and respiratory diseases had increased eightfold since the imposition of the sanctions.

33. The depleted uranium shells and missiles used by the United States and British armed forces in Iraq had polluted the environment and led to the emergence of unusual and incurable diseases among women. Women in areas exposed to repeated bombardment were also experiencing psychological problems such as depression, sleeplessness, weight loss, headaches, lack of concentration and fear of the future.

34. Owing to the disastrous economic and social situation, women had been forced to give up their household duties and drop out of study courses at various levels of education in order to seek paid employment. Divorce had increased and young men and women were unwilling to get married because of the high cost of living. The impact of the current tragic situation would be felt by many future generations of Iraqis.

35. He called on the Sub-Commission to assist in halting the use of the weapon of economic sanctions which was incompatible with the basic principles of human rights and with the values cherished and the legislation adopted by the international community.

36. Ms. EI EI TIN (Observer for Myanmar) said that women in Myanmar enjoyed equality with men as a basic right and as a result of government action since the Beijing World Conference on Women. National machinery for the advancement of women had been systematically introduced and working committees had been established at the central and local levels. Myanmar had acceded to the Convention on the Elimination of All Forms of Discrimination against Women in 1997 and had submitted its initial report to the relevant Committee.

37. The Myanmar National Plan for the advancement of women, adopted in 1997, covered six key areas: education, health, the economy, culture, violence against women and the girl child. Two new areas – the environment and the media – had recently been added. The Government had strengthened legislation in those areas. Counselling centres for the victims of violence had been established throughout the country and individuals could file complaints to the National Committee for Women's Affairs. An NGO, the Myanmar Maternal and Child Welfare Association, which had branches all over the country, specialized in promoting the health and well-being of mothers and children. The Myanmar Women Entrepreneurs Association focused on the role of women in business.

38. Myanmar culture, traditions, religious beliefs and practices safeguarded the equality of women in marriage, inheritance and other areas. Family violence and disintegration were rarely encountered. Women were treated with respect and had never been degraded.

39. Mr. HUSSAIN (Observer for Pakistan) said that the Constitution of Pakistan fully guaranteed equal rights for women, who had traditionally played a key role in society. In May 2000, his Government had established a Status of Women Commission to ensure the empowerment of women. A Women in Distress Fund had been created to improve conditions in prisons and protection houses for women and to facilitate women's access to legal aid. Separate prisons and police stations for women had been established. Advisory boards comprising representatives of women's organizations had been set up to provide the federal and provincial Governments with assistance on policy and administrative issues relating to women. Legislation discriminating against women had been revised.

40. Of the seats in the national and provincial legislatures, 30 per cent were reserved for women and 50 per cent representation was guaranteed in local bodies. There were seven women Ministers in the Government of Pakistan. The quota of women candidates for public-sector employment had been increased. Administrative and judicial measures had been introduced to ensure prosecution in cases of family violence, to provide redress for sexual harassment in the workplace and to resolve marital disputes. Action had been taken to increase female literacy and to make curricula and teaching methods gender-sensitive.

41. His Government vigorously condemned so-called "honour killings", which were due to ignorance and bigotry. It was determined to ensure that the law was enforced and to prevent and punish such acts. He noted with disappointment that the report of the Special Rapporteur on

traditional practices affecting the health of women and the girl child (E/CN.4/Sub.2/2000/17) singled out Pakistan in connection with honour killing and other forms of violence against women, which were a universal problem. She could have highlighted practices elsewhere, such as the use of rape as an instrument of policy in Kashmir, crimes against women under the caste system, female infanticide and dowry deaths. Pakistan welcomed disinterested and constructive advice and assistance but would not engage with those who allowed themselves to be the instruments of propaganda and defamation.

42. Mr. TANDAR (Observer for Afghanistan), having reviewed the legislative and other measures taken for the advancement of women in Afghanistan from the late nineteenth century until 1996, said that Afghan women had always taken part in the country's economic and agricultural life. More recently, they had been able to take advantage of opportunities in the public service and in public and private enterprises and had outnumbered men in some branches of public administration and in certain university faculties.

43. Since the military occupation of Kabul by the fanatical Taliban militia in 1996, women's lives had been turned into a living nightmare. Thousands had lost their jobs, even when they were the family's sole breadwinners. Tens of thousands of girls had been forced to leave school and university. Women teachers had been dismissed. Medical facilities for women had been closed down, although mother and child mortality ratios in Afghanistan were the highest in the world. Strict rules concerning women's dress and behaviour were imposed and women who disobeyed the rules were beaten in public by the Taliban religious police.

44. Mullah Omar, the leader of the Taliban, had stated that women were weak creatures who easily gave in to temptation if allowed to leave home without male supervision. A woman who went out to work came into contact with strange men – it was the first step towards prostitution. In the Taliban mentality, women represented danger. They existed to serve men and bear children and had no social or legal personality. For women under the Taliban regime, death could be welcomed as a relief from a long and painful existence. Female suicide, virtually unknown in Afghanistan in the past, had become relatively common.

45. The Taliban had recently resorted to mass abduction of women, sometimes as war booty, and forced marriages were a widespread phenomenon. They sold women into prostitution, offering them to their leaders and friends. The victims of the new wave of persecution, characterized also by summary executions and enforced displacement, were women belonging to minority ethnic groups. As descent was determined by the father, their children would belong not to the mother's ethnic group but to that of the Taliban.

46. But Afghan women had organized a resistance movement. Notwithstanding the risks involved, they held classes for girls and boys in private homes. Women's associations had been established at home and abroad. It was essential to support the millions of Afghan women in their struggle against the extremism and fanaticism of the Taliban. They should not be forgotten by the international community.

47. Mr. EL TALIB (Observer for the Sudan) said that his country was a party to a number of relevant human rights instruments and, in any case, the status of Sudanese women was protected by cultural and religious traditions. Moreover, the Constitution of 1998 guaranteed equal rights to all citizens. Since independence in 1956, women's participation in political and civic life had steadily increased.

48. In 1994, a national human rights commission - the Advisory Council for Human Rights - had been established, comprising various governmental and non-governmental organizations. It had received a number of international human rights experts and special rapporteurs since 1994, including the secretaries-general of Amnesty International and Anti-Slavery International.

49. As part of its efforts to eradicate traditional practices affecting the health of women and the girl child, the Government had established a Supreme Council for Child Welfare. It also provided support to the National Society for the Eradication of Harmful Practices, an NGO whose work had been applauded in 1999 by the Special Rapporteur on the situation of human rights in the Sudan.

50. In June 2000, being aware that poverty and a lack of education were major causes of conflict, the President had announced that oil revenues would be used for development purposes. Since 1989, the number of educational institutions in the country had increased dramatically, as had student enrolment. Primary education had been made compulsory, and education in public institutions was virtually free, particularly at the primary and secondary levels.

51. With a view to addressing the issue of traditional nomadic tribal conflicts in the southern Sudan, a Committee for the Eradication of Abduction of Women and Children had been established, with broad membership and international support, notably from UNICEF and Save the Children, a United Kingdom-based NGO. The Committee had already succeeded in reuniting some 353 women and children with their families, and was planning to resolve a further 4,900 cases in 2000. Such abductions were defined as crimes under Sudanese law.

52. The international community should denounce the use of unilateral coercive measures by States against other States, given that they violated the human rights of women, inter alia. The bombing of a Sudanese pharmaceutical factory in 1998 by the United States of America had deprived civilians of their right to life and to health.

53. Mr. AL-DORAYBI (Observer for Yemen) said that two successive Governments had been particularly keen to improve the status of Yemeni women and to ensure that they fulfilled their economic, social and cultural roles. Women currently occupied posts in engineering, diplomacy, law and other fields which had previously been the preserve of men. In the 1997 elections, they had accounted for 45 per cent of the votes; two members of parliament were women, and 40 women worked in the President's Cabinet. For the first time, a female ambassador had been appointed.

54. Women had participated in national follow-up to the Fourth World Conference on Women and in the elaboration of national education strategies for girls. Their participation in the labour market had also increased, and female workers enjoyed the same privileges as men.

55. His Government attached great importance to women's health, and had been implementing programmes to increase awareness of reproductive and family health in particular. In view of all that had been achieved for Yemeni women, the criticisms levelled against his Government were "completely insignificant".

56. Mrs. WARZAZI (Special Rapporteur on traditional practices affecting the health of women and the girl child), said that the response to her report (E/CN.4/Sub.2/2000/17) had been overwhelming. Her intention was not to put Governments in the dock, but to raise awareness of the dangers and the extent of such practices. For the most part, Governments condemned such practices in their territories, and once alerted to their presence, took the necessary measures to promote their eradication.

57. For honour killings to be combated, national law must be brought into line with international human rights standards. She assured NGOs that they would be given credit for any relevant information they might wish to submit in the future.

CONTEMPORARY FORMS OF SLAVERY (agenda item 6) (E/CN.4/Sub.2/2000/3 and Add.1, 20, 21 and 23; E/CN.4/Sub.2/2000/NGO/12; E/CN.4/2000/80 and Add.1)

58. Mrs. WARZAZI, (Chairperson-Rapporteur of the Working Group on Contemporary Forms of Slavery), introducing the report of the Working Group on its twenty-fifth session (E/CN.4/Sub.2/2000/23), said that the Group's deliberations had been extremely fruitful and had benefited from a particularly broad participation, including high-level input. The one major inconvenience had been the restrictions imposed on the length of the document.

59. The report contained a summary of the debates on bonded labour and debt bondage (chapter II); a review of the implementation of and follow-up to the conventions on slavery (chapter III); a review of developments in the field of contemporary forms of slavery and measures to prevent and repress all contemporary forms of slavery, including consideration of corruption and international debt as promoting factors of contemporary forms of slavery (chapter IV); and activities of the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery (chapter V). Chapter VI contained recommendations adopted by the Working Group at its twenty-fifth session.

60. It had been decided that priority at the two subsequent sessions would be given to the issues of trafficking in persons and child labour respectively. The provisional agenda for the twenty-sixth session was contained in the annex to the report.

61. Mr. WEISSBRODT said that his updated review of the implementation of and follow-up to the conventions on slavery (E/CN.4/Sub.2/2000/3 and Add.1) was intended to build upon the substantial body of previous work already done in that area and to make a new contribution to the debate, especially concerning contemporary forms of slavery. It sought to fill the gap of almost 20 years since the Sub-Commission's last general review of slavery.

62. The main document summarized the core international law against slavery, progress in the campaign to abolish the slave trade and slavery, the legal instruments and institutions established to combat slavery, the evolving definition of slavery, contemporary forms of slavery

and slavery-like practices. It noted that the true effectiveness of a treaty could be assessed by the extent to which the States parties applied its provisions at the national level. However, there was no international mechanism to monitor and enforce State obligations to abolish slavery and related practices, except for the Working Group on Contemporary Forms of Slavery, whose work needed to be reinforced and encouraged.

63. The addendum had been provided in response to growing international concern about slavery, and discussed in greater detail the various forms of slavery and slavery-like practices currently in existence. For example, concern had been expressed over people abducted during violent raids and subjected to practices similar to slavery which were also categorized as abuses in their own right, such as certain forms of child labour and the practice of the sexual trafficking of women and children. Among the other issues identified were serfdom, forced labour, debt bondage, trafficking and prostitution, forced marriage and the sale of wives, and child labour.

64. A number of national and international initiatives had been taken recently with regard to some of those issues, including the International Labour Organization (ILO) Worst Forms of Child Labour Convention, 1999 (No. 182) and the draft convention for the suppression of transnational organized crime. The Sub-Commission should help ensure that States and other interested parties were able to consult an accurate and up-to-date collection of international laws and standards in respect of all forms of slavery, servitude and forced labour. The updated review provided just such a collection - it was not a review of national laws or best practices.

65. Tens of millions of people were subjected to contemporary forms of slavery, servitude or forced labour, and he hoped that the updated review would encourage States to implement the international human rights standards in those areas. The publication and dissemination of the review would provide a substantive foundation for the work of the Sub-Commission and others and should be seen as an important step in the long-standing struggle to abolish slavery in all its forms.

66. He did not think it necessary to introduce orally the update to the final report on systematic rape, sexual slavery and slavery-like practices during armed conflict submitted by his former colleague Ms. McDougall (E/CN.4/Sub.2/2000/21), as there had been substantial discussion of the updated information she had presented to the Sub-Commission at its previous session. He understood that a resolution was to be tabled at the current session on the possible submission of the update to the Commission on Human Rights.

67. Ms. Motoc resumed the Chair.

68. Mr. KARTASHKIN said that time regrettably did not allow for detailed analysis of the wealth of documentation before the Sub-Commission. He would therefore make only one point, a crucial one, namely, that very different - and often contradictory - definitions of slavery were used in the various reports. Slavery was defined, inter alia, in terms of exploitative labour, sexual slavery, profit, forced marriage, coercion and temporary deprival of freedom of movement. If future work on the item was to be facilitated, rapporteurs and working groups should try to agree on one generally accepted definition. Currently, it was so broad that virtually any practice could be termed "slavery", including the practice of advertising for a foreign husband.

69. Mr. PINHEIRO highly commended the update by the Special Rapporteur on the situation of systematic rape, sexual slavery and slavery-like practices during periods of armed conflict, including internal conflict (E/CN.4/Sub.2/2000/21). It provided, in paragraph 20, a convincing list of reasons why sexual slavery and other forms of sexual violence continued to be so prevalent in situations of armed conflict. Women and girls were generally devalued in society and considered fair "spoils of war"; combatants were often desensitized by the conflict and encouraged to be aggressive and to ignore their individual conscience; sexual violence was often seen as an effective way to terrorize and demoralize the enemy and often was not treated as a criminal act and remained unpunished; and sexual violence was sometimes an expression of racism or ethnic hatred or was used as a form of ethnic cleansing.

70. The Special Rapporteur had also given examples of the use of sexual violence in conflicts in Afghanistan, Burundi, Colombia, the Democratic Republic of the Congo, Indonesia, Kosovo, Liberia, Myanmar, Sierra Leone and Uganda (paras. 10-19). Grave concern had also been expressed by the Special Rapporteur on violence against women about the absence of any serious investigations into allegations of the gang rape and murder of women and girls by soldiers in Sri Lanka. She had also expressed concern about political violence in the south of that country affecting women in particular. Every effort should be made to prevent further violations by carrying out thorough investigations into the alleged incidents and prosecuting the alleged perpetrators.

71. As Ms. Hampson had said earlier, the role of special rapporteurs was not just to denounce human rights abuses but to find ways, in cooperation with Governments, to prevent abuses and combat immunity. It would therefore be a fitting tribute to the work of Ms. McDougall if observers from the countries mentioned in her report could give the Sub-Commission information on investigations they were carrying out in particular cases and other measures they were taking to legislate against gender discrimination, provide support for victims and prosecute perpetrators. NGOs were also welcome to provide information.

72. Ms. TANAKA (International Movement against All Forms of Discrimination and Racism) said she wished to draw attention to two significant aggravating factors in contemporary forms of sexual slavery, namely, the role played by the military and the globalization process. Sexual crimes committed by soldiers in situations of armed conflict had attracted a good deal of attention recently but there were also other, institutionalized and systematized forms of military sexual slavery, such as that endured by the so-called "comfort women" during the Second World War. She supported the conclusions and recommendations on that issue made by the Special Rapporteur on the situation of systematic rape, sexual slavery and slavery-like practices during periods of armed conflict, including internal conflict, and urged the Government of Japan to admit its legal responsibility and compensate the victims accordingly.

73. The globalization of the sex industry had led to greater violence and discrimination against women. In the Japanese sex industry, they suffered further discrimination in the form of racially-based pricing for their services. The root causes of the discrimination that led to trafficking in women must be addressed: service sectors related to the sex industry, such as the tourist sector, should be regulated and should develop a code of conduct restricting all activities that might facilitate trafficking.

74. The receiving countries must target their development assistance at communities with high rates of trafficking, since areas of poverty were an easy target for traffickers. Governments should also recognize that less restrictive immigration policies would make trafficking a less appealing option. The forthcoming World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance would provide a framework within which the root causes of trafficking could be addressed. She hoped that the Working Group on Contemporary Forms of Slavery would focus on the issue of trafficking in persons at its next session.

75. Mr. WADLOW (Association of World Citizens) said that, while the 1926 Slavery Convention was a high-water mark in the worldwide consensus on the need to abolish slavery, it provided no mechanisms for monitoring, investigation and enforcement. Because national institutions were unable or unwilling to deal adequately with the problem of slavery or forced labour, credible international mechanisms were needed. ILO action on forced labour in Myanmar was a good example of a relatively successful and speedy use of an existing international mechanism.

76. His own organization and other NGOs had successfully raised in United Nations human rights bodies the issue of the sexual slavery practised by the Japanese military during the Second World War. The Sub-Commission should continue the work begun by the Special Rapporteur on the situation of systematic rape, sexual slavery and slavery-like practices during periods of armed conflict, including internal conflict.

77. Virtually the full range of international mechanisms to deal with slavery were being applied in the case of the Sudan, a country where traditional slavery persisted and where domestic institutions had failed to put a stop to the practice, but so far their effectiveness had been limited. The situation could be improved by, among other things, strengthening the Working Group on Contemporary Forms of Slavery. The Working Group could begin by making country-specific proposals and monitoring their application, for example, by proposing at its next session that militias in the Sudan which abducted people for enslavement should be disarmed. The proverbial "political will" of the Working Group could be central to United Nations efforts to abolish slavery. The Sudan was certainly the test case of its effectiveness; the sale and trafficking in women from Eastern Europe could be a further test case.

78. Ms. SHIN (Asia Pacific Forum on Women, Law and Development) said she enthusiastically welcomed the update by the Special Rapporteur on the situation of systematic rape, sexual slavery and slavery-like practices during periods of armed conflict, including internal conflict (E/CN.4/Sub.2/2000/21), which underlined the criminal nature of such practices, the need to punish the perpetrators and the right of victims to reparation. In the chapter on Japan's system of military sexual slavery during the Second World War, the Special Rapporteur pointed out that the Government of Japan had not fully discharged its obligations under international law (para. 72). For that reason, an international organizing committee was preparing to hold a people's court, the "Women's International War Crimes Tribunal on Japan's Military Sexual Slavery", to be held in Tokyo in December 2000.

79. Teams of prosecutors from the countries of the victims and from Japan were preparing indictments and a panel of prominent human rights experts from around the world would pass judgement. On behalf of the international organizing committee and the three secretariats - the Korean Council for the Women Drafted for Military Sexual Slavery by Japan, the Asian Centre for Women's Human Rights (the Philippines) and Violence against Women in War - Net Japan - she requested the international human rights community's support for the tribunal.

80. She regretted that the report of the High Commissioner for Human Rights on agenda item 6 (E/CN.4/Sub.2/2000/20) failed to mention the steps taken, or not taken, regarding the sexual slavery practised by the Japanese military.

The meeting rose at 6.05 p.m.